

REMARKS

Claims 1-3, 5-12, 18, 20-23, and 29-59 are pending. Claims 1, 5, 6, 10, 18, 20, and 21 have been amended, claims 4, 13-17, 19, and 24-28 have been canceled, and new claims 29-59 have been added to recite additional features of Applicant's invention.

In the parent of the present application (namely U.S. Patent Application Serial No. 09/493,038), many claims were rejected based on U.S. Patent No. 5,802,361 to Wang. Applicant respectfully submits that the presently pending claims are allowable over the Wang patent for the following reasons.

Claim 1 recites a method of searching or browsing multimedia data. This method includes (a) receiving reference multimedia data with a data structure including features of said reference multimedia data and weight information of said features, wherein said data structure includes reliability information indicating a reliability of the weight information, (b) searching for said reference multimedia data using the features and the weight information, (c) receiving user feedback on a relevance of resultant multimedia data found in (b), (d) measuring a similarity of the reference multimedia data to the resultant multimedia data and calculating new weight information of said features using the measured value, and (e) updating the weight information of said features in said data structure of the reference multimedia data using the new weight information. The Wang patent does not teach or suggest this method.

The Wang patent discloses a method of searching for images stored in a database. This method includes as an initial step receiving a search inquiry from a user. This search inquiry

includes image attribute parameters indicative of a type of image to be retrieved from the database. Once the search has been performed, the images produced from the search are displayed on a monitor. The user then selects the most highly correlated images. AU the images produced from the search are then re-ranked and the image attribute parameters in the search inquiry are adjusted accordingly.

Claim 1 is different from the Wang method in at least the following respects. Claim 1 recites receiving a data structure including: (1) features of reference multimedia data, (2) weight information of said features, and (3) reliability information indicating a reliability of the weight information. The Wang patent fails to teach or suggest a data structure including reliability information of this type.

During prosecution of the parent application, the Examiner drew a correspondence between the data structure of the claimed invention and the search inquiry of Wang. The manner in which this search inquiry is generated is disclosed at column 8, lines 40-42. Here, Wang discloses that the search inquiry includes a number of image attributes corresponding to an image of interest to be retrieved during a database search. It is further disclosed that the user may provide a ranking of importance of those image attributes. The ranking is provided in the form of ranking values R_i , assigned to the image attributes specified in the search inquiry. These ranking values are taken into consideration by a high-level analyzer 123, which performs a database search based on the image attributes included in the search inquiry.

The ranking values of the image attributes were alleged to correspond to the weight information of the claimed invention. Assuming *arguendo* that such a correspondence can be

properly drawn, Wang does not teach or suggest that its search inquiry includes any information indicating how reliable those ranking values are, i.e., the Wang search inquiry does not include reliability information indicating reliability of weight information included in a data structure as recited in claim 1.

Notwithstanding this omission, the Examiner alleged that the Wang patent discloses the reliability information recited in claim 1. To support her position, the Examiner pointed out that Wang discloses recomputing rank values based on results obtained from an initial evaluation of a search inquiry: "The ranking values R_i are normalized and recomputed, as described, increasing the weight for the highly correlated image attribute similarity measures." (Column 25, lines 64-67). The Examiner then relied on the disclosure of a threshold variance value at column 26 as corresponding to the reliability information recited in claim 1.

At column 26, the Wang patent discloses that high-level analyzer 123 compares each of the newly computed ranking values R_i to a threshold variance value Y_i on an attribute-by-attribute basis. If the ranking value is lower than the threshold variance value, it is concluded that the image attribute corresponding to the ranking value is not a significant contributor to the search inquiry. On the other hand, if the ranking value is higher than the threshold variance value, it is concluded that the image attribute corresponding to the ranking value is a significant contributor to the search inquiry. The threshold variance value thus effectively serves as a floor value

The Wang patent does not teach or suggest that the threshold variance value which was alleged to correspond to reliability information of the claimed invention is stored in the search

inquiry of Wang. In fact, the Wang patent implicitly teaches away from the claimed invention when it discloses that the threshold variance value for each image attribute is empirically determined and then applied by high-level analyzer 123 to newly computed ranking values. That is, it is apparent from Wang that the high-level analyzer stores the threshold variance values for comparison purposes, not the search inquiry which has been alleged to correspond to the data structure of the claimed invention.

From the foregoing discussion, it is therefore clear that the Wang patent does not teach or suggest a data structure which includes “reliability information indicating a reliability of the weight information” corresponding to an multimedia attribute. To provide evidence of this lack of teaching or suggestion in Wang, Applicant has filed a Declaration under 37 CFR § 1.132 with this paper. It is respectfully submitted that the differences noted herein and the evidence set forth in the Rule 132 Declaration are sufficient to establish the non-obviousness and thus the patentability of claim 1 and its dependent claims from the Wang patent. Applicant further submits that the dependent claims are patentable over Wang based on the features separately recited therein.

Claim 18 recites a data structure embodied in a computer-readable medium for a multimedia data searching or browsing system. The data structure includes multimedia data, variable information representing features of the multimedia data, and reliability information representing a reliability of the variable information. As evidenced in the Rule 132 Declaration, the Wang patent does not teach or suggest a data structure having reliability information as

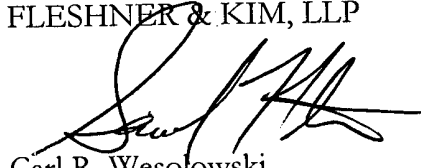
recited in claim 18. It is therefore submitted that claim 18 and its dependent claims are allowable over the Wang patent.

New claims 29-59 have been added to the application. Each of the new independent claims recites a data structure having reliability information as previously discussed. It is therefore submitted that the new independent claims and their dependent claims are allowable.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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